



Our Docket No.: 080398.P216

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BRANT L. CANDELORE

Application No.: 09/870,045

Filed: May 29, 2001

For: **Method and Apparatus for Routing
Program Data in a Program Viewing
Unit**

Examiner: Unassigned

Art Group: 2611

RECEIVED

NOV 26 2003

Technology Center 2600

STATEMENT BY WILLIAM W. SCHAAAL
ATTESTING TO THE TIMELY TRANSMISSION OF THE
RESPONSE TO THE NOTICE OF MISSING PARTS

Commissioner for Patents
Assistant Commissioner for Patents
Washington, DC 20231-9999

Sir:

1. The undersigned attorney respectfully requests withdraw of the holding of abandonment under 37 C.F.R. §1.8(b).

2. I attest that, on or around August 9, 2001, it is my understanding that a Notice of Missing Parts for the subject application was received by Blakely Sokoloff Taylor & Zafman LLP (BSTZ), counsel for Applicant.

3. I further attest that, on or around August 24, 2001, it is my understanding that a Response to the Notice of Missing Parts was filed by BSTZ on behalf of Applicant. The Response featured a cover letter inclusive of (1) a duly executed Declaration and Power of Attorney; (2) a check (check no. 44849) in the amount of \$130 in payment of the surcharge of 37

C.F.R. §1.16(e); (3) a copy of the Notice of File Missing Parts of Application; and (4) a return postcard. A copy of the papers originally filed is attached hereto as Exhibit A.

4. I further attest that it is my understanding that, subsequent to the filing of the Response to the Notice of Missing Parts, BSTZ received evidence of receipt of this document by the USPTO. Such evidence is attached as Exhibits B and C. Exhibit B includes a copy of the return postcard (4) stamped with the date August 27, 2001. The stamped postcard was received on or around September 4, 2001. Exhibit C includes a copy of "cleared" check no. 44849 (2) endorsed by the USPTO.

5. In light of the foregoing, the undersigned attorney respectfully requests withdrawal of the holding of abandonment due to error by the USPTO. Although no petitions fees are warranted, the undersigned attorney authorizes the USPTO to charge any petition fees or other fees due to Deposit Account 02-2666. A duplicate of this sheet is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: November 18, 2003

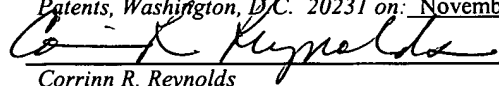

WILLIAM W. SCHAAL

Reg. No. 39,018

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025
(714) 557-3800

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on: November 18, 2003.


Corinn R. Reynolds

11/18/03
Date